



UNITED STATES PATENT AND TRADEMARK OFFICE

JP

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,009	11/19/2003	Matthew Albert Huras	CA990023US2	8758

47069 7590 05/04/2006

KONRAD RAYNES & VICTOR, LLP
ATTN: IBM54
315 SOUTH BEVERLY DRIVE, SUITE 210
BEVERLY HILLS, CA 90212

EXAMINER

CHANNAVAJJALA, SRIRAMA T

ART UNIT PAPER NUMBER

2166

DATE MAILED: 05/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/718,009	HURAS ET AL.	
	Examiner	Art Unit	
	Srirama Channavajjala	2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/626,673.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>11/19/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-24 are presented for examination.

Drawings

2. The Drawings filed on 11/19/2003 are acceptable for examination purpose.

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims for example claim 1 is directed to “A *method for recovering a dropped table, comprising: specifying one or more table spaces prior to one or more tables being dropped from the specified one or more table spaces; when a table is to be dropped from the one or more specified table spaces, storing a table identifier, a timestamp, and table definition attributes for the dropped table in a data structure; and dropping the table; and upon receiving a request to restore a table space from the one or more specified table spaces, recovering each of the one or more tables in the table space being restored using the data structure*”.

It is also noted that current drawing fig 1 does not show “storing table identifier, a time stamp, table definition attributes for the dropped table in a data structure” in conjunction with other limitations. Therefore, each specific function must be shown or the feature(s) canceled from the claim(s), accordingly specification at page 3, “brief description of the drawings” may be amended.

No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Information Disclosure Statement

3. The information disclosure statement filed on 11/19/2003 is in compliance with the provisions of 37 CFR 1.97, and has been considered and a copy is enclosed with this Office Action.

Priority

4. Acknowledgment is made of applicant's claim for foreign priority based on Canadian Application No. 2279028 filed on 27 July 1999 under 35 U.S.C. 119(a)-(d), the certified copy has been filed with the Application No. 09626,673, filed on July 27,2000 is now US Patent No. **6,684,225**.

Specification

5. The disclosure is objected to because of the following informalities: At page 1, line 5-10 , applicant incorporated co-pending foreign and US Patent application, applicant is hereby required to update the status of the application[s] in response to this office action.

6. Applicant has incorporated by reference co-pending application at page 1 in the specification. Examiner notes that incorporation by reference of an application in a printed United States patent constitutes a special circumstance under 35 U.S.C. § 122 warranting that access of the original disclosure of the application be granted. The incorporation by reference will be interpreted as a waiver of confidentiality of only the original disclosure as filed, and not the entire application file, *In re Gallo*, 231 USPQ 496 (Comm'r Pat. 1986). If Applicant objects to access to the entire application file, two copies of the information incorporated by reference must be submitted along with the objection. Failure to provide the material within the period provided will result in the entire application (including prosecution) being made available to petitioner. The Office will not attempt to separate the noted materials from the remainder of the application. Compare *In re Marsh Engineering Co.*, 1913 C.D. 183 (Comm'r Pat. 1913).

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. Claims 1-24 are rejected under 35 U.S.C. 101 because invention is directed to non-statutory subject matter.

As set forth in MPEP 2106(II)A:

Identify and understand Any Practical Application Asserted for the Invention

The claimed invention as a whole must accomplish a practical application. That is, it must produce a "useful, concrete and tangible result." State Street, 149 F.3d at 1373, 47USPQ2d at 1601-02. The purpose of this requirement is to limit patent protection to inventions that possess a certain level of "real world" value, as opposed to subject matter that represents nothing more than an idea or concept, or is simply a starting point for future investigation or research (Brenner v. Manson, 383 U.S. 519, 528-36, 148 USPQ 689, 693-96); In re Ziegler, 992, F.2d 1197, 1200-03, 26 USPQ2d 1600, 1603-06 (Fed. Cir. 1993)). Accordingly, a complete disclosure should contain some indication of the practical application for the claimed invention, i.e., why the applicant believes the claimed invention is useful.

Apart from the utility requirement of 35 U.S.C. 101, usefulness under the patent eligibility standard requires significant functionality to be present to satisfy the useful result aspect of the practical application requirement. See Arrhythmia, 958 F.2d at 1057, 22 USPQ2d at 1036. Merely claiming nonfunctional descriptive material stored in a

computer-readable medium does not make the invention eligible for patenting. For example, a claim directed to a word processing file stored on a disk may satisfy the utility requirement of 35 U.S.C. 101 since the information stored may have some "real world" value. However, the mere fact that the claim may satisfy the utility requirement of 35 U.S.C. 101 does not mean that a useful result is achieved under the practical application requirement. The claimed invention as a whole must produce a "useful, concrete and tangible" result to have a practical application.

8. Regarding claim 1,9, "A method for recovering a dropped table, comprising: specifying one or more table spaces prior to one or more tables being dropped from the specified one or more table spaces; when a table is to be dropped from the one or more specified table spaces, storing a table identifier, a time stamp, and table definition attributes for the dropped table in a data structure; and dropping the table; and upon receiving a request to restore a table space from the one or more specified table spaces, recovering each of the one or more tables in the table space being restored using the data structure" is directed to "abstract idea" because all of the elements in the claim 1 would reasonably be interpreted by one of ordinary skill in light of the disclosure as software, such that the method is software, per se, is "non-statutory subject matter" and **claim 1,9** do not have "practical application" because the "final result" by the claimed invention in the claim 1 elements particularly "upon receiving a request to....." is not producing "useful, tangible and concrete" results, in other

Art Unit: 2166

words, "what is the real world result"? and therefore, claim 1 is a non-statutory subject matter.

The claims 2-8,24 dependent from claim 1 is also rejected in the above analysis.

9. Regarding claim 17, "A program for recovering a dropped table, wherein the program is implemented in a computer readable medium and is capable of causing operations to be performed, the operations comprising:

specifying one or more table spaces prior to one or more tables being dropped from the specified one or more table spaces; when a table is to be dropped from the one or more specified table spaces, storing a table identifier, a time stamp, and table definition attributes for the dropped table in a data structure; and dropping the table; and upon receiving a request to restore a table space from the one or more specified table spaces, recovering each of the one or more tables in the table space being restored using the data structure "

which is a "software per se" performing "algorithm, formula, or routines or calculation related to "multiple instances of an activity or inactive condition[s], and as such the claimed invention is subject to the test of State Street, 149 F.3d at 1373-74, 47 USPQ2d at 1601-02. Specifically State Street sets forth that the claimed invention must produce a **"useful, concrete and tangible result."** The **Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility** states in section IV C. 2 b. (2) (on page 21 in the PDF format):

The tangible requirement does not necessarily mean that a claim must either be tied to a particular machine or apparatus or must operate to change articles or

materials to a different state or thing. However, the tangible requirement does require that the claim must recite more than a § 101 judicial exception, in that the process claim must set forth a practical application of that § 101 judicial exception to produce a real-world result. Benson, 409 U.S. at 71-72, 175 USPQ at 676-77 (invention ineligible because had “no substantial practical application.”).

Claim 17 have the result of producing “real-world result” related to restore table space in a data structure, however the claim[s] do not specify that the hardware and software combination or physical medium to store the “real-world result, furthermore, it is noted that **specification does not teach “computer readable medium”** including drawing fig 1, therefore, claim 17 does not output **useful, concrete and tangible result**. *“Merely claiming nonfunctional descriptive material stored in a computer-readable medium does not make the invention eligible for patenting. For example, a claim directed to a word processing file stored on a disk may satisfy the utility requirement of 35 U.S.C. 101 since the information stored may have some “real world” value. However, the mere fact that the claim may satisfy the utility requirement of 35 U.S.C. 101 does not mean that a useful result is achieved under the practical application requirement. The claimed invention as a whole must produce a “useful, concrete and tangible” result to have a practical application”, see MPEP 2106(II)A.*

Also, examiner notes that merely “upon receiving a request to restore a table space.....” is not a positive recitation of a real world result. Thus the claimed result is not tangible and the claimed result is not a “useful, concrete and tangible result.” The court in State Street noted that the claimed invention in Alappat constituted

Art Unit: 2166

a practical application of an abstract idea because it produced a *useful, concrete and tangible result* the display of a smoothed heart beat to a system user. The Federal Circuit further ruled that it is of little relevance whether a claim is directed to a machine or process for the purpose of a § 101 analysis. AT&T, 172 F.3d at 1358, 50 USPQ2d at 1451 (see the Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility, Annex II).

It is noted that claim 17 is merely a “program code” is a “abstract idea” because all of the elements in the claim 17 would reasonably be interpreted by one of ordinary skill in light of the disclosure as **software or simply computer code**, is considered to be software per se, furthermore, “**computer readable medium**” lack storage on a suitable computer-readable medium, in other words,

(i) ***which is not stored on an appropriate computer readable medium***

(ii) fails to meet the IEEE definition of a data structure;

are not able to realize any functionality and are thus not statutory;

The examiner reviewed the specification but was unable to find (a) computer readable medium[s], (b) practical real-world use of the result (claim 1, claim 9, claim 17, for example claim 1, 9, 17: “upon receiving a request to restore a table space.....using the data structure”). If the applicant is able to find one and inserts it into the claims provide the location the element[s] is found in the specification.

In the above analysis, claims 2-8,10-16,18-24 dependent from independent claims 1,9, and 17 are also rejected.

No new matter should be entered.

For "General Analysis for Determining Patent-Eligible Subject Matter", see 101 Interim Guidelines as indicated below.

<<<http://www.uspto.gov/web/offices/pac/dapp/ogsheet.html>>>

Double Patenting

10. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Art Unit: 2166

11. Claims 1,9,17 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1,6,11,19,23,27, of U.S. Patent No. 6,684,225. Although the conflicting claims are not identical, they are not patentably distinct from each other because in the present application Independent Claims 1,9,17, directed to "A method for recovering a dropped table, comprising: specifying one or more table spaces prior to one or more tables being dropped from the specified one or more table spaces; when a table is to be dropped from the one or more specified table spaces, storing a table identifier, a time stamp, and table definition attributes for the dropped table in a data structure; and dropping the table; and upon receiving a request to restore a table space from the one or more specified table spaces, recovering each of the one or more tables in the table space being restored using the data structure while U.S. Patent No. 6,684,225, is directed to "A database management system comprising: one or more table spaces, each table space containing one or more tables having table definition attributes; means for generating, for a dropped table in a selected table space, a time stamp reflecting the time of drop and a unique table identifier; a dropped **table history** means for storing the table identifier, the time stamp and the table definition attributes for the dropped table upon determining that a dropped table flag associated with the selected **table space** **has a first value** that indicates that information about the dropped table is to be recorded in the dropped table history means, wherein the dropped table flag is set with the first value prior to the table being dropped; means for **restoring and rolling forward** the selected table space containing the dropped table.....means for **copying**

Art Unit: 2166

data from the dropped table.....means for updating the selected table space.....means for accessing the table definition attributes.....means for loading the data in the storage data structure into the new table [claim 1].

It would have been obvious one of the ordinary skill in the art at the time of the applicant's invention was made to modify the cited steps as indicated for example in claim 1,9,17 of the instant US application, since the omission and addition of the claims 1,9,17 limitations would have not changed the recovering dropped table in a database structure particularly recovering each of the one or more tables in the table space. Therefore, the ordinary skilled artisan would have been also motivated to modify claims 1,9,17 of the cited instant US application by dropping the steps from US Patent No. 6,684,225, for example claim 1, A database management system comprising:..... dropped **table history** means for storing the table identifier, the time stamp and the table definition attributes for the dropped table upon determining that a dropped table flag associated with the selected **table space has a first value** that indicates that information about the dropped table is to be recorded in the dropped table history means, wherein the dropped table flag is set with the first value prior to the table being dropped; means for **restoring and rolling forward** the selected table space containing the dropped table.....means for **copying data** from the dropped table..... The cited omitting element would not interfere with the functionality of the steps previously claimed and would perform the same function. In re Karlson, 136 USPQ 184 (CCPA

Art Unit: 2166

1963), furthermore, the instant claims 1,9,17 are broader than the US Patent No.

6,684,225 claims 1,6,11,19,23,27.

The dependent claims 2-8,10-16,18-24 of the instant application are rejected in the analysis above.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

12. Claims 7,23 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claims 7,23, the claim[s] contains subject matter "parts of the database" [page 9, claim 7, line 2, page 12, claim 23, line 2], which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

13. Regarding claims 4,12, 20,, the phrase "may be" renders the claim indefinite because it is unclear whether the limitations following the phrase "may be" are part of the claimed invention. See MPEP § 2173.05(d).

14. Claims 7,15, 23 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

15. Regarding claims 7, 15,23, one or more tables in the table space....."parts of the database"..... is not defined, however, for compact prosecution, examiner assumes it related to table[s] in the database "data structure" and treated as table[s] in the database "data structure in the office action.

Claim Objections

16. Claim 24 objected to because of the following informalities: At page 12, claim 24, dependent on claim 1, it should be dependent on claim 17 because claim 24 recites "The program of claim 1....", while claim 1 is a "A method for It appears to be typo error, for compact prosecution, examiner assumes claim 24 is dependent on claim 17, and treated as claim 24 dependent on claim 17 in the office action.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. Claims 1-24, are rejected under 35 U.S.C. 103(a) as being unpatentable over Olson et al. [hereafter Olson], US Patent No. 6115704, filed on May 9, 1994 in view of Pereira US Patent No. 6122640 filed on Sept 22, 1998.

18. As to claims 1,9,17, Olson teaches a system which including 'recovering a dropped table' [col 8, line 50-51, col 9, line 14-18], Olson is directed to relational databases, more specifically database applications using structured query language and associated commands that allows to create, drop, alter and like commands or statements with respect to tables, that including crating indexes, recovering index as detailed in col 8, line 50-51, col 9, line 14-18];

'specifying one or more table spaces prior to one or more tables [fig 6, col 12, line 38-46] being dropped from the specified one or more table spaces [col 13, line 7-20], Olson specifically teaches "table spaces" corresponds to fig 6 is part of data structure defined in a database, further Olson also suggests SYSADM commands directed to specific database allows alterations made to the database definition as specified in the data catalog for example the statements including ALTER TABLE ALTER INDEX, DROP TABLE, DROP VIEW and like as detailed in col 13, line 15-20;

'when a table is to be dropped from the one or more specified table spaces' [see fig 6, col 12, line 37-42], storing a table [59-51] 'upon receiving a request to restore a table space from the one or more specified table spaces [col 12, line 45-54], recovering each of the one or more tables in the table space being restored using the data structure' [col 10, line 53-57]. It is however, noted that Olson does not specifically teach table identifier, a timestamp and table definition attributes for the dropped table in a data structure' On the other hand, Pereira disclosed 'table identifier, a timestamp and table definition attributes for the dropped table in a data structure' [col 5, line 53-57, col 6, line 58-62].

It would have been obvious to one of the ordinary skill in the art at the time of applicant's invention to incorporate the teachings of Pereira into Olson et al. because both Olson, Pereira are directed to relational database, more specifically Pereira is directed to reorganizing an active DBMS table, particularly, establishing checkpoint on the source table, crating a reorganized copy of the source table , and applying transactions [col 3, line 59-65], while Olson is directed to accessing database using structured query language, particularly, allows important alterations, changes to an existing defition [col 2, line 60-62], both Olson, Pereria teaches table space in a relational database structure [see Olson: fig 6, Pereria: table 1, col 7, line 15-21], and both are specifically directed to database management system [see Olson: fig 2; Pereira; col 1, line 1-5] and both teach DDL [see Pereria: col 5, line 26-28; Olson: col 14, line 9-10], and both are from same field of endeavor.

One of the ordinary skill in the art at the time of applicant's invention to incorporate the teachings of Pereira into Olson et al. because that would have allowed users of Olson to maintain log records particularly related to specific record identifier in a table, and timestamp in the data structure, further assigning reference to a particular transaction for example insert, update or delete [Pereira: col 6, line 60-62] bringing the advantages of unload rows of particular row ids directly from DBMS data files bypassing the SQL interface [Pereira: col 6, line 15-17].

19. As to claim 2, 10, 18, Olson disclosed 'when a second table is to be dropped from a table space other than the one or more specified table spaces, dropping the second table without modifying the data structure' [fig 1, fig 6, col 11, line 45-50, col 12, line 37-42].

20. As to claim 3, 11, 19, Olson disclosed 'wherein specifying one or more table spaces comprises setting a dropped table recovery flag for each of the one or more table spaces' [col 11, line 50-65].

21. As to claim 4, 12, 20, Pereira disclosed 'dropped table recovery flag is changed' [col 8, line 25-28]

22. As to claim 5, 13, 21, Pereira disclosed 'rolling forward the table space containing the dropped table to a time reflected in the time stamp by replaying a set of stored

Art Unit: 2166

transactions up to the time reflected in the time stamp [col 7, line 15-21], wherein information about the dropped table is stored in the data structure [col 7, line 34-37]; 'copying data from the dropped table in the rolled forward selected table space to a storage data structure' [col 8, line 1-9]; 'accessing the table definition attributes for the dropped table, in the data structure to create a new table in the table space' [col 8, line 36-39]; 'loading the data in the storage data structure into the new table' [col 8, line 47-49].

23. As to claim 6, 14,22, Olson disclosed 'wherein the storage data structure is a flat file' [col 17, line 34-49]

24. As to claim 7, 15,23, Olson disclosed 'during the recovery of one or more tables in the table space to be restored, parts of the database excluding the table space to be restored are accessible to users' [col 10, line 55-64].

25. As to claim 8, 16,24, Olson disclosed 'wherein the data structure is a dropped table history data structure' [col 9, line 48-54].

Conclusion

The prior art made of record

- a. US Patent. No. 6684225.
- b. US. Patent. No 6115704
- c. US. Patent. No 6122640

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srirama Channavajjala whose telephone number is 571-272-4108. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:30 PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam, Hosain, T, can be reached on (571) 272-3978. The fax phone numbers for the organization where the application or proceeding is assigned is 571-273-8300 Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)

SC
Patent Examiner.
April 26, 2006


SRIRAMA CHANNAVAJJALA
PRIMARY EXAMINER